



U.S. Department of Justice

United States Attorney
Eastern District of Pennsylvania

CJG:dmd
Phone: 215-597-3822

3310 United States Courthouse
Independence Mall West
601 Market Street
Philadelphia, Pennsylvania 19106

September 12, 1986

RECEIVED

John Judge
Cohen, Shapiro, Polisher,
Shiekman & Cohen
12 South 12th Street
Philadelphia, Pennsylvania 19107

SEP 15 1986

EPA, REGION III
OFFICE OF REGIONAL COUNSEL

RE: United States v. Tyson, et al.
Civil Action No. 84-2663

Dear John:

As I informed you yesterday, the Agency cannot agree to an indefinite extension of the comment period on the Focused Feasibility Study. EPA is under an obligation to act expeditiously to undertake remedial action at this site. In our view, postponing the remedy selection process indefinitely while we wait for a decision from the Court would not be consistent with that obligation. This is especially true in view of the fact that EPA held two informational meetings to respond to questions about the documents, and feels that formal discovery is not necessary for submission of comments on the documents.

Sincerely,

EDWARD S. G. DENNIS, JR.
United States Attorney

CYNTHIA J. GILES
Assistant United States Attorney

cc: All Counsel

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